

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method for controlling an audio recording level, comprising the steps of:

a) recording entry audio data in song units and simultaneously decoding the audio data, and detecting an audio level average of the decoded data; and

b) variably controlling an audio level of a song to be recorded later on the basis of the detected audio level average,

wherein the step b) comprises:

calculating an offset value between the detected audio level average and an audio level average of a previously recorded song;

adjusting an audio level of a subsequent song unit on the basis of the offset value; and

encoding and recording the subsequent song unit having the adjusted audio level, and

wherein the step (a) determines the audio level average of the decoded data by excluding certain parts of the decoded data having an audio level outside of a prescribed range extending from a maximum audio reference level to a minimum audio reference level.

2-4. (Cancelled)

5. (Original) The method as set forth in claim 1, wherein the step (a) records the entry audio data to a recording medium, and the method further comprising:

(c) recording the variably controlled audio level of the song to the recording medium.

6. (Currently Amended) The method as set forth in claim 5, wherein the recording medium is one of the following: an optical disk, a HDD (hard disk ~~driver~~drive), a DRAM (dynamic random access memory), and a flash memory.

7. (Currently Amended) A method for controlling an audio recording level, comprising the steps of:

a) decoding entry audio data to be recorded in song units, and detecting an audio level average of the decoded entry audio data; and

b) variably controlling a level of subsequent decoded audio data on the basis of the detected audio level average, encoding the variably controlled audio data level, and recording the encoded audio data to a recording medium,

wherein the step (b) includes the steps of:

calculating an offset value between the detected audio level average and an audio level average of a previously recorded song;

adjusting an audio level of a subsequent song unit on the basis of the offset value; and

encoding and recording the subsequent song unit having the adjusted audio level, and

wherein the step (a) determines the audio level average of the decoded data by excluding certain parts of the decoded data having an audio level outside of a prescribed range extending from a maximum audio reference level to a minimum audio reference level.

8. (Previously Presented) The method as set forth in claim 7, wherein the previously recorded song is a firstly recorded song.

9. (Canceled).

10. (Currently Amended) The method as set forth in claim 7, wherein the recording medium is one of the following: an optical disk, a HDD (hard disk ~~drive~~drive), a DRAM (dynamic random access memory), and a flash memory.

11. (Original) The method as set forth in claim 7, wherein the decoded entry audio data is in a first audio format type, and the subsequent decoded audio data is in a second audio format type, the first and second audio format types different from each other.

12. (Currently Amended) An apparatus for controlling an audio recording level, comprising:

means for recording entry audio data in song units and simultaneously decoding the audio data, and detecting an audio level average of the decoded data; and

means for variably controlling an audio level of a song to be recorded later on the basis of the detected audio level average,

wherein the means for variably controlling the audio level comprises:

means for calculating an offset value between the detected audio level average and an audio level average of a previously recorded song;

means for adjusting an audio level of a subsequent song unit on the basis of the offset value; and

means for encoding and recording the subsequent song unit having the adjusted audio level, and

wherein the means for recording determines the audio level average of the decoded data by excluding certain parts of the decoded data having an audio level outside of a prescribed range extending from a maximum audio reference level to a minimum audio reference level.

13-15. (Cancelled)

16. (Original) The apparatus as set forth in claim 12, wherein the means for recording records the entry audio data to a recording medium, and records the variably controlled audio level of the song to the recording medium.

17. (Currently Amended) The apparatus as set forth in claim 16, wherein the recording medium is one of the following: an optical disk, a HDD (hard disk ~~driver~~drive), a DRAM (dynamic random access memory), and a flash memory.

18. (Currently Amended) An apparatus for controlling an audio recording level, comprising:

first means for decoding entry audio data to be recorded in song units, and detecting an audio level average of the decoded entry audio data; and

second means for variably controlling a level of subsequent decoded audio data on the basis of the detected audio level average, encoding the variably controlled audio data level, and recording the encoded audio data to a recording medium,

wherein the second means includes:

means for calculating an offset value between the detected audio level average and an audio level average of a previously recorded song;

means for adjusting an audio level of a subsequent song unit on the basis of the offset value; and

means for encoding and recording the subsequent song unit having the adjusted audio level, and

wherein the first means determines the audio level average of the decoded data by excluding certain parts of the decoded data having an audio level outside of a prescribed range extending from a maximum audio reference level to a minimum audio reference level.

19. (Previously Presented) The apparatus as set forth in claim 18, wherein the previously recorded song is a firstly recorded song.

20. (Canceled).

21. (Currently Amended) The apparatus as set forth in claim 18, wherein the recording medium is one of the following: an optical disk, a HDD (hard disk ~~drive~~drive), a DRAM (dynamic random access memory), and a flash memory.

22. (Original) The apparatus as set forth in claim 18, wherein the decoded entry audio data is in a first audio format type, and the subsequent decoded audio data is in a second audio format type, the first and second audio format types different from each other.